IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

Crl.Rev.Pet.No. 1046 of 2000()

CRL.A.NO.350/1998 OF SESSIONS COURT, KOZHIKODE
C.C.NO.1401/1996 OF JUDICIAL MAGISTRATE OF FIRST CLASS, VADAKARA

REVN. PETITIONER:

K.K.ABDULLA, S/O.AMMAD,
AGED 58 YEARS, KUTTIKKATTIL HOUSE,
P.O.CHEMMARATHUR, VIA VADAKARA,
KOZHIKODE DISTRICT.

BY ADV. SRI.C.VATHSALAN

RESPONDENTS:

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1. K.M.SREEDHARAN,
S/O.POKKAN, MANDALA KAITHAYIL HOUSE,
P.O.CHEMMARATHUR, VIA VADAKARA,
KOZHIKODE DISTRICT.

2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.R.PARTHASARATHY
PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 12/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.5630/2000 IN CRL.R.P.NO.1046/2000

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

12/11/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl.R.P.No.1046 of 2000-C

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Dated this the 12th day of November, 2007

O R D E R

The revision petitioner is the accused who stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months.

2. The counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances the sentence is modified to imprisonment till the rising of the court and to pay compensation of rupees forty thousand, i.e., the cheque amount, and in default to undergo simple imprisonment for two months. As requested, it is directed that the amount may be paid directly to the complainant and joint petition filed before the court below. The revision petitioner is granted one months time from today onwards to remit the amount of compensation. He shall appear before the Judicial Magistrate of the First Class, Vadakara, on 12/12/2007 to receive the sentence. The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

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